



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NOV 01 2000

Mr. Peter J. Savago, Chairman
Ulster County Republican Committee
101 DuBois Road
New Paltz, NY 12561

RE: MUR 4954
Ulster County Republican Committee; Mabel Osterhudt, as treasurer; and
Peter J. Savago, as chairman

Dear Mr. Savago:

On December 17, 1999, the Federal Election Commission notified you, Ulster County Republican Committee and Mabel Osterhudt of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you, Ulster County Republican Committee and Mabel Osterhudt. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan".

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment:
Narrative

MUR 4954

ULSTER COUNTY REPUBLICAN COMMITTEE

William A. Dal Col, president of Forbes 2000, Inc., alleged that the Ulster County Republican Committee, an unregistered committee, made an excessive in-kind contribution(s) to George W. Bush for President because it prepared and mailed materials soliciting signatures for George W. Bush delegates and alternates to the 2000 Republican National Convention. He also alleged that corporate funds may have been spent to finance the materials, since New York permitted state and local committees to accept corporate contributions. He finally alleged that the delegate materials did not contain a disclaimer.

On January 27, 2000, Mr. Dal Col submitted an amendment to the complaint making the same allegations against the Rensselaer County Republican Committee, an unregistered committee, as he did against the Ulster County Republican Committee.

Bush for President, Inc. responded that the activities referred to in the complaint were permissible delegate candidate activities that fell within the delegate candidate exemptions.

Peter J. Savago, Chair of the Ulster County Republican Committee, responded that he prepared the mailing at issue in an effort to appear on the primary ballot as a delegate candidate supporting George W. Bush. He paid for photocopying and spent \$170 of his personal funds for postage. He admitted that he used one sheet of the county committee's stationary to prepare the mailing. The cost to the committee was nominal.

The Chair of Rensselaer County Republican Committee, James A. Walsh, claimed he conducted the mailing at issue within the county committee for presidential delegate petitions. The expense to the county committee was extremely nominal. In fact, he paid for the postage.

There appears to be no serious intent to violate the FECA. The amount of money involved is insubstantial, and this matter is less significant relative to other matters pending before the Commission.